

May 29, 2019

VIA FBI FOIA PORTAL

To the responsible FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request any FBI records on the following information technology and/or press freedom organizations, as well as any FBI records on two named Russian nationals below:

- 1) CounterMail
- 2) Freedom of the Press Foundation
- 3) Golden Frog
- 4) Hushmail
- 5) Kakao
- 6) Kolab Now
- 7) Lavabit
- 8) LINE Corporation
- 9) Mailfence
- 10) Posteo
- 11) ProtonMail
- 12) Rackspace Managed Hosting
- 13) Rakuten Viber
- 14) Riseup.net
- 15) Runbox
- 16) SecureDrop.org
- 17) Signal
- 18) Telegam
- 19) Pavel Durov (Russian national associated with Telegram)
- 20) Nikolai Durov (Russian national associated with Telegram)
- 21) Threema GmbH
- 22) Tutanota
- 23) Wickr

The date range of this request is September 11, 2001 to the date of this request.

In order to help to determine my status to assess fees, you should know that I am a research fellow and scholar at the Cato Institute, an IRS-recognized 501(c)(3) nonprofit educational and public interest organization. As I am employed by an educational or noncommercial scientific institution, this request is made for a scholarly or scientific purpose and not for a commercial use. **I request a waiver of all fees for this request.**

Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

Exhibit A

Whenever possible, please provide the requested information in electronic Portable Document Format (PDF).

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I would appreciate your communicating with me by email or telephone, rather than by mail. My email address is peddington@cato.org and my cell number is 571-215-3468.

Please provide expedited processing of this request which concerns a matter of urgency.

As a Research Fellow, my main function is disseminating information. The public has an urgent need for information about FBI surveillance of or related activities targeting the above mentioned information technology companies and press freedom-related organizations sponsoring encryption technologies. The recent Department of Justice multi-count indictment against Wikileaks founder Julian Assange explicitly references the use of encryption technologies by information gathering organizations like Wikileaks as a potential basis for a federal prosecution if federal government information is transmitted using such technologies. Federal government domestic surveillance activities are a source of media stories on literally a weekly basis, making this a very high-profile topic of intense public and Congressional interest.

As a Cato scholar, I meet the statutory definition of a “representative of the news media” per *Cause of Action v. F.T.C.*, 799 F.3d 1108 (D.C. Cir. 2015) as Cato and its scholars (1) gather information of potential interest (2) to a segment of the public; (3) use editorial skills to turn the raw materials into a distinct work; and (4) distribute that work (5) to one or more audiences. **Accordingly, I ask for expedited processing on that basis.**

I look forward to your determination regarding my request for expedited processing within 10 calendar days, as the statute requires. Thank you for your assistance.

Sincerely,



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